

Message Text

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72

ORIGIN L-03

INFO OCT-01 EUR-25 ADP-00 SCA-01 JUSE-00 RSC-01 /031 R

DRAFTED BY L/ M/ SCA: JABOYD: MA

3/22/73 EXT 23062

APPROVED BY L/ M/ SCA: KEMALMBORG

JUSTICE: MRSTEIN (SUB)

EUR/ NE: RTBURNS

----- 125683

R 221813 Z MAR 73

FM SECSTATE WASHDC

TO AMEMBASSY LONDON

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E. O. 11652, N/ A

TAGS: CPRS, PFOR

SUBJECT: EXTRADITION - PRELIMINARY REQUEST FOR INFORMATION

1. DEPT OF JUSTICE CONTEMPLATES REQUESTING THE EXTRADITION OF AN INDIVIDUAL WHO HAS VIOLATED TITLE 18 OF THE UNITED STATES CODE AT SECTION 1014. THE SAID INDIVIDUAL IS AN OFFICER IN A CORPORATION WHICH SHIPS OIL BETWEEN VENEZUELA AND THE USA UNDER CONTRACTUAL CHARTERS OBTAINED FROM MAJOR US PETROLEUM COMPANIES. IN THE CASE IN POINT, THE COMPANY HAD SUCH A CHARTER. THE INDIVIDUAL THEN ARRANGED FOR A LOAN FROM A FEDERALLY INSURED BANK USING A COPY OF THE CHARTER WHICH THE INDIVIDUAL HAD KNOWINGLY AND SUBSTANTIALLY ALTERED AS A SECURITY FOR THE LOAN. AFTER THE BANK LOANED THE MONEY, THE CORPORATION DEFAULTED IN THE PAYMENT OF THE LOAN AND THE BANK DISCOVERED THAT THE TERMS OF THE CHARTER WHICH THE INDIVIDUAL HAS PRESENTED TO THE BANK WERE DIFFERENT FROM THOSE FOUND IN THE ORIGINAL AND GENUINE CHARTER EXTENDED TO THE SHIPPING COMPANY WHICH THE INDIVIDUAL REPRESENTED. THE LOAN WAS FOR A SUBSTANTIAL SUM OF MONEY.

2. THE DEPT OF JUSTICE BELIEVES THAT THESE FACTS

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CONSTITUTE RECEIVING MONEY UNDER FALSE PRETENSES AND AS SUCH WOULD QUALIFY AS AN EXTRADITABLE OFFENSE UNDER SECTION 18 OF ARTICLE III OF THE TREATY SIGNED IN 1931. JUSTICE HESITATES TO REQUEST EXTRADITION BECAUSE THERE IS NO US FEDERAL CRIME FOR RECEIVING MONEY UNDER FALSE PRETENSES PER SE. JUSTICE MUST RELY ON 18 USC 1014 ONLY. ALSO JUSTICE WISHES TO KNOW THE TYPE OF DOCUMENTATION OF TESTIMONIAL EVIDENCE WHICH MUST BE PRESENTED TO UK OFFICIALS BEFORE THIS INDIVIDUAL CAN BE EXTRADITED.

3. EMBASSY IS REQUESTED TO APPROACH APPROPRIATE UK OFFICIAL FOR INFORMAL ADVICE CONCERNING THE FEASIBILITY OF EXTRADITION IN THIS CASE. ROGERS

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*** Current Handling Restrictions *** n/a

*** Current Classification *** LIMITED OFFICIAL USE

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts:
Control Number: n/a
Copy: SINGLE
Draft Date: 22 MAR 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: martinjw
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Document Unique ID: 00
Drafter: JABOYD: MA
Enclosure: n/a
Executive Order: n/a
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Handling Restrictions: n/a
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ISecure: 1
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Original Handling Restrictions: n/a
Original Previous Classification: n/a
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Previous Handling Restrictions: n/a
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Review Comment: n/a
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US Department of State
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